

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

KEITH ADKINS,

Plaintiff,

vs.

Civil Action 2:12-cv-484
Judge Marbley
Magistrate Judge King

MICHAEL ASTRUE,
COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER

On December 5, 2012, the United States Magistrate Judge recommended that the parties' joint motion for voluntary remand, Doc. No. 19, be granted. *Report and Recommendation*, Doc. No. 20. Although the parties were advised of their right to object to the recommendation, there has been no objection.

The *Report and Recommendation*, Doc. No. 20, is **ADOPTED AND AFFIRMED**. The decision of the Commissioner of Social Security is **REVERSED** pursuant to Sentence 4 of 42 U.S.C. § 405(g) and the matter is **REMANDED** to the Commissioner for a new hearing and a new decision, with instructions to the administrative law judge to further evaluate at Step 2 the severity of plaintiff's depression and to consider evidence submitted to the Appeals Council after the administrative law judge's decision.

s/Algenon L. Marbley
Algenon L. Marbley
United States District Judge